

## **SECTION 1: INFORMATION FOR BIDDERS**

### **1.1 INVITATION FOR BID**

#### **CALL FOR BIDS**

Sealed bids, entitled “Bid for CFR Reach A, Phases 5 and 6 Remedial Action Project, DEQ Contract No. 414049,” will be received by the Montana Department of Environmental Quality (DEQ) until 2:00 P.M. local time, June 6, 2014 and then publicly opened and read thereafter. Each Bid shall be submitted in a sealed opaque envelope bearing on the outside the name and address of Bidder. Bids may be mailed or hand delivered to:

**Mail Delivery:**

Bid Box  
Remediation Division  
Attention: Brian Bartkowiak  
P.O. Box 6969  
Helena, Montana 59604-6969

**Hand Delivery:**

Department of Environmental Quality  
Remediation Division  
Attention: Brian Bartkowiak  
Lee Metcalf Building, 1520 E. 6<sup>th</sup> Ave., Rm 3  
Helena, Montana 59620-0901

**Note: Please note the location for hand delivery as it has changed from previous Remediation Division Contracts.**

If forwarded by mail, the Bid and sealed envelope marked as described above shall be enclosed in another envelope with the notation "SEALED BID ENCLOSED" on the face of the outer envelope and addressed as indicated above.

#### **PROJECT LOCATION**

The Project is referred to as CFR Reach A, Phases 5 and 6 Remedial Action Project, a part of the Clark Fork River Operable Unit (“CFROU” or “Clark Fork Site”) which is part of the Milltown Reservoir/Clark Fork River Superfund Site. The Project is located in Deer Lodge County, near Galen, Montana. The Project Area covers 4.5 river miles between Galen Road and Gemback Road on two private ranches known as the Dry Cottonwood Ranch and Two Bar Ranch. The Site is located in Sections 20, 21, and 29, Township 6 North, Range 9 West, and is shown on the Drawings, Sheet C1. Access to the Site is via Galen Road or Gemback Road from Interstate 90, near Galen, Montana.

To reach the northern entrance to the Site from Interstate 90, take exit 197, Highway 273, Galen, and head east on Galen Road to the Clark Fork River. To reach the southern entrance to the Site from Interstate 90, take exit 195, Racetrack Rd, head south to the T intersection, turn right on West River Road which turns east and becomes Gemback Road and crosses the Clark Fork River. These two locations will be the main access points to the Site.

#### **PROJECT WORK DESCRIPTION**

The CFROU is part of the Milltown Reservoir/Clark Fork River Superfund Site. Heavy metals originating from historical mining, milling, and smelting activities associated with the Anaconda Company operations in Butte and Anaconda have accumulated on the Clark Fork River streambanks and floodplain over a period of at least 100 years. The primary sources of contamination are tailings and contaminated sediments mixed with soils in the streambanks and floodplains (“tailings / impacted soils”), which erode during high flow events and enter the river and other surface waters. In addition to erosion, heavy metals are leached from the tailings / impacted soils directly into the groundwater and eventually to

surface water. These contaminant transport pathways result in impacts to terrestrial and aquatic life along the Clark Fork River.

The Clark Fork Site is located within four counties: Deer Lodge, Powell, Granite, and Missoula. The upstream boundary of the Clark Fork Site is located at the confluence of the old Silver Bow Creek channel with the reconstructed lower Mill-Willow bypass just downstream of the Warm Springs Ponds. The downstream boundary is the maximum high pool reservoir level (elevation 3265.5 feet, NAVD 88) of the former Milltown Reservoir (eliminated by the removal of the Milltown Dam), just east of Missoula, Montana.

The Project area consists of the river, its floodplain, and associated access and staging areas. The Site is an active ranch with hay fields, grazing fields, fencing, irrigation structures, irrigation ditches, and a historic cabin on the Site. The floodplain contains slickens (barren areas of tailings) and thick layers of tailings / impacted soils that only support plant growth to varying degrees. Contractor shall excavate contaminated tailings / impacted soils from streambanks and floodplain; transport these materials to and place them in the B2.12 Cell at Opportunity Ponds (owned by ARCO Environmental Remediation, LL.C. "AERL" and its affiliate the Atlantic Richfield Company "AR," these entities will be referred to as "AR" herein); backfill excavations in the floodplain with clean fill and reconstruct portions of the streambanks using bioengineering techniques. Owner is responsible for implementing the Remedy for the Clark Fork Site. An effort has been made to make the specifications equally applicable to all Bid Items unless otherwise specified in the Contract Documents. Owner is obliged to maximize its use of resources available to combine Remedy and Restoration and to maximize the environmental benefit to the Clark Fork Site. NRDP Restoration Bid Items are included here in addition to the Remedy. The Bid Items for these Restoration elements (Bid Items 34 through 46) will be paid by NRDP directly, based on the lump sums or unit prices bid.

## **SCHEDULE COORDINATION AND SEQUENCING OF WORK**

Contractor shall perform the Work in close coordination with the Montana Department of Environmental Quality's (DEQ's) Revegetation Consultant and DEQ's Revegetation Contractor, each performing under a separate contract with DEQ for related to the CFR Reach A, Phases 5 and 6 Revegetation Project. Good communication is essential between Contractor, DEQ, Revegetation Consultant, Revegetation Contractor, Engineer, Surveyor, Montana Department of Justice, Natural Resource Damage Program (NRDP), NorthWestern Energy, CenturyLink, Burlington Northern and Santa Fe Railroad (BNSF), and others working on the CFR Reach A, Phases 5 and 6 Remedial Action Project. Contractor shall share facilities (roads, parking areas, staging areas, etc.) and work in close coordination with both revegetation contractors. All contractors will use best efforts to ensure that the timing of activities performed for the CFR Reach A, Phases 5 and 6 Remedial Action Project and other activities at the Site will accommodate the work to be performed under each contract.

Remedial construction along the Clark Fork River shall proceed in stages. To minimize potential damage from flooding, the Work shall proceed in a sequence that ensures the excavated floodplain is backfilled and revegetated in a timely manner. Remedial Work Zones as shown on the Drawings, Sheets C10 through C13, Excavation Plan, shall be constructed sequentially to ensure that no more than one (1) Remedial Work Zone is being excavated at any one time. Contractor shall not undertake excavation in two Remedial Work Zones at any one time unless approved by Engineer. Upon completion of verification sampling, Contractor shall completely backfill a Remedial Work Zone to subgrade prior to beginning excavation in another Remedial Work Zone. Contractor shall not have more than three Remedial Work Zones at subgrade at any one time before backfilling to final grade, amending with compost, preparing the seedbed, developing microtopography, and placing woody material.

The Work involves excavating and hauling both tailings / impacted soils and clean borrow material, inside and outside of areas contaminated with tailings / impacted soils, and working in close proximity to an area of the Clark Fork River designated as critical habitat for bull trout. Contractor shall, to the maximum extent practicable, prevent contamination from reaching the Clark Fork River and shall use care to minimize contamination of borrow areas and clean areas outside the Removal Limits. Contractor shall not track tailings / impacted soils outside the Construction Work Zone when leaving the Site or by any other means. Contractor shall clean and decontaminate all previously cleaned areas, areas outside the Removal Limits, and areas outside the Construction Work Limits when contaminated with tailings / impacted soils by Contractor, to the satisfaction of Engineer, at no cost to Owner.

Contractor shall timely notify Revegetation Consultant of work schedule and sequence, so Revegetation Consultant, Contractors, and employees can mobilize to the Site and revegetation activities can follow as closely as possible completion of remedial construction work by Contractor in each discrete area of the Project Site. Revegetation shall be performed by Revegetation Contractor with oversight by Revegetation Consultant. Contractor is expected to provide Site access to the Revegetation Contractors, sequencing the Work and preparing areas for planting at the earliest possible time, and generally enabling revegetation activities to occur as soon as practicable after Contractor has completed excavation, backfill, and streambank reconstruction in any particular area.

Construction Work Limits are shown on the Drawings, Sheet G3, Construction Work Limits and Fencing Plan. Contractor shall not disturb any areas outside the Construction Work Limits. Any disturbance outside of these limits shall be reclaimed to pre-disturbed conditions and landowner shall be compensated for damages occurring as a result of the disturbance.

## **SPECIAL CONTRACTOR QUALIFICATIONS**

Contractor shall have at least five years of experience working on river restoration projects and shall have completed at least five projects of similar size using similar design concepts, structures, and materials.

Due to the type and number of streambank restoration structures to be constructed, Contractor must demonstrate that at least one equipment operator tasked to construct these structures has completed two river restoration training classes, such as Wildland Hydrology, Inc., or equivalent. Contractor shall submit with its bid the curriculum, agenda, dates, location, and sponsors/ instructors of such training for each operator. Contractor may designate another operator without such training or experience to construct test structures, if the qualified operator is on Site at all times during the Work and is readily available and authorized to supervise this work.

Contractor shall have at least one excavator and at least one bulldozer configured to operate with digital terrain models for design grading surfaces provided by Engineer. **The GPS equipment shall be on Site during streambank construction and during earthwork activities** or Contractor may propose alternative means and methods that will achieve the same level of precision, accuracy, and efficiency as an excavator and a bulldozer configured to operate with GPS machine-control capability. Alternative means and methods that require additional grade staking and survey layout by Engineer or Surveyor, and result in additional cost to Owner, will not be accepted.

The Project will include all incidental work necessary to complete the Work as specified in the Contract Documents.

## CONTRACT DOCUMENTS

The Contract Documents may be obtained from the Montana Department of Environmental Quality (DEQ), Remediation Division, in Helena, Montana after May 5, 2014, for a nonrefundable deposit of \$100.00 in advance, in cash or check payable to "Montana Department of Environmental Quality." **Mail requests should be labeled "Bid Package Purchase, DEQ Contract No. 414049" and addressed to Bid Box, Remediation Division, Attn: Brian Bartkowiak, P.O. Box 6969, Helena, MT 59604-6969.** Contract Documents may also be obtained in person from the DEQ Remediation Division Office, located at Lee Metcalf Building, 1520 E. 6<sup>th</sup> Ave., Rm 3, Helena, MT 59620-0901. For further directions, please call (406) 841-5043.

The Contract Documents, including any Addenda, will be available for viewing at the Builder's Exchange locations identified in the Instructions to Bidders.

## QUESTIONS

For general questions, contact Brian Bartkowiak at (406) 841-5043. All questions about the meaning or intent of the Contract Documents are to be submitted in writing to and must be received by DEQ, Remediation Division, in Helena, Montana, no later than 5:00 P.M. local time May 23, 2014. **Questions submitted by mail should be labeled: "Bid Questions, DEQ Contract No. 414049" and addressed to Bid Box, Remediation Division, Attention: Brian Bartkowiak, P.O. Box 6969, Helena, MT 59604-6969.** Questions may also be e-mailed to [BBartkowiak@mt.gov](mailto:BBartkowiak@mt.gov). Responses to questions will be posted at <http://svc.mt.gov/gsd/onestop/SolicitationDefault.aspx> no later than 5:00 P.M. local time May 28, 2014. Choose "Environmental Quality" as the solicitation agency.

## CONTRACT TIME

**The Contract Time will be four hundred (400) consecutive calendar days.** Contractor will pay Owner liquidated damages in the amount of Two Thousand (\$2,000) dollars per day for each day beyond the Contract Time (as adjusted in accordance with the terms of the Contract Documents) that the Work is not substantially complete.

## PRE-BID CONFERENCE

**There will be a mandatory Pre-Bid Conference beginning at 10:00 A.M. local time May 21, 2014, at the Race Track Valley Fire Hall/Race Track Community Center located in Race Track, Montana.**

To reach the Race Track Valley Fire Hall/Race Track Community Center from Interstate 90, take exit 195, Racetrack Rd, head west to the Frontage Road intersection, turn right (north), proceed less than one mile. The Race Track Valley Fire Hall/Race Track Community Center will be on the right, just north of the Gemback Bar. All persons attending the Pre-Bid Conference must complete a pre-entry briefing to be provided at the Race Track Valley Fire Hall/Race Track Community Center. All persons attending the Pre-Bid Conference must wear hard hats, steel-toe boots, safety glasses with side shields, high-visibility clothing, long-sleeve shirts, and leather gloves in order to visit the Opportunity Ponds Waste Management Area portion of the Project Site.

Immediately following the Pre-Bid Conference, the Pre-Bid Conference will continue with a visit to the CFR Reach A, Phases 5 and 6 Remedial Action Project Site and then to the BP/AR Waste Management Area at Opportunity and the Beck Borrow Area (Beck Borrow Area addressed as supplementary source of Vegetative Backfill under Add Alternative #A1, Develop and Reclaim Beck Borrow Area) located south of Deer Lodge, Montana.

**Both the pre-bid conference and the walk-through are mandatory: bidding contractors are required to attend.** Failure to attend the pre-bid conference and walk through is a basis for Owner to reject the bid under Article 2 of Section 1.2 Instructions to Bidders.

## **BID SUBMITTAL**

Bids shall be submitted in accordance with Section 1.2 Instructions to Bidders and with the laws of the State of Montana.

The Contract Documents identify onsite sources for Vegetative Borrow materials and Floodplain Alluvium materials. Another source near the Site, the Beck Borrow Area, is identified for use should additional Vegetative Borrow be needed. Contractor shall identify an acceptable Offsite Floodplain Alluvium source for import to the site should additional Floodplain Alluvium be needed. Added Alternative Bid Item # A1 is included to “Develop and Reclaim the Beck Borrow Area.” Added Alternative Bid Item # A2 is included to “procure, excavate, load, haul, moisture condition and place Offsite Floodplain Alluvium.” Contractor shall provide a bid for these Added Alternative. The amount bid for the Added Alternative IS NOT included in Contractor’s Base Bid. The bid amounts for Alternative Bid Item #A1 and #A2 shall be applicable ONLY if this work be added to the Contract by Change Order.

All workers employed in performance of the Work shall be paid prevailing wages at rates required by Federal regulations and the laws of the State of Montana.

Bidders must ensure that employees and applicants for employment are not discriminated against because of their race, color, religion, sex, or national origin.

Owner reserves the right, in its sole discretion, to cancel the contract solicitation for this project, to reject any and all Bids, to postpone or refuse to award the Contract, to consider the Bid of another Bidder, to waive any and all informalities, and to take any other action it deems in the best interests of the State of Montana.

The Montana Department of Environmental Quality is an equal opportunity employer.

## **DEPARTMENT OF ENVIRONMENTAL QUALITY**

By: Tracy Stone-Manning  
Director